

**7-119. Performance Test (1200 TN 548 7-119)**

**1. AUTHORITY.** To approve the use of a reference method with minor changes in test methodology, to approve shorter sampling times and smaller sampling volumes when necessitated by process variables, to waive the requirement for a performance test pursuant to Sections 111(f), 111(h), 112(d), 112(f), and 112(h) of the Clean Air Act (CAA) if the owner or operator of an affected source has demonstrated by other means that the affected source is in compliance.

**2. TO WHOM DELEGATED.** Director, Air and Radiation Division (ARD) and Director, Land, Chemicals and Redevelopment Division (LCRD).

**3. LIMITATIONS.**

- a. The Director, LCRD may exercise this authority only for hazardous waste combustor MACT facilities.
- b. The Director, LCRD must consult with the ARD delegatee before exercising this authority.

**4. REDELEGATION AUTHORITY.**

- a. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.**

- a. 40 CFR § 63.7 (e) (2) (i), 40 CFR § 63.7 (e) (2) (iii), 40 CFR § 63.7 (e) (2) (iv), and 40 CFR § 63.7 (h).
- b. 40 CFR § 61.13 (h) (1) (i) and 40 CFR § 61.13 (h) (1) (iii).
- c. 40 CFR § 60.8 (b) (1), 40 CFR § 60.8 (b) (4), and 40 CFR § 60.8 (b) (5).
- d. Section 111 of the Clean Air Act.
- e. Section 112 of the Clean Air Act.
- f. This delegation, Performance Test, and the delegation titled Alternative Methods supersede delegation 7-14.

**7-119. Performance Test (continued)**

**6. SUPERSESSION.** Delegations Manual, CAA, Regional Delegation 7-119. Performance Test, 1200 TN RIII 148 (August 8, 2001).

Date: APR 15 2019

  
Cosmo Servidio  
Regional Administrator